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*Pro Haec Vice in Butte County Superior Court Cases*

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Thomas and Jaydene Gardner

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

-and-

PACIFIC GAS AND ELECTRIC  
COMPANY

Debtors.

**X** Affects Both Debtors

Bankr. Case No. 19-30088 (DM)  
Chapter 11  
(Lead Case) (Jointly Administered)

**DECLARATION OF WILLIAM D.  
MCCANN IN SUPPORT OF  
PLAINTIFFS OBJECTION  
TO PG AND E MOTION TO  
TO DEFEAT PLAINTIFFS'  
CLAIMS FOR PUNITIVE  
DAMAGES**

**Hearing: May 24, 2023  
Time: 10:00 am  
Via Tele-video conference**

**US Bankruptcy Court  
Courtroom 17, 16th Floor  
San Francisco, CA 94102**

[Relates to Dkt. 13685, both Liza Sims  
and Thomas and Jaydene Gardner case]

1       **DECLARATION OF WILLIAM D. MCCANN. ESQ IN SUPPORT OF OBJECTION**  
2

3       I, William D. McCann, declare:  
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- 5           1. I am competent to make this declaration and have actual knowledge of the facts which  
6           follow.
- 7           2. Since shortly after the so-called Camp Fire in Butte County, California, I became counsel  
8           to Liza Sims and her now deceased Mother, who became residents of Douglas County,  
9           Nevada, where I maintain an office. I thereafter became counsel *pro haec vice* with Jane  
10          Luciano, Esq. on behalf of Ms. Sims and her now deceased mother, in *Liza Sims v. PG*  
11          *and E*, Butte County Superior Court Case No. 19CV01700 and *Thomas and Jaydene*  
12          *Gardner v. PG and E*, Butte County Superior Court Case No. 19CV00379.
- 13          3. During my work for these clients over the last 5 years, I have become familiar with the  
14          fact patterns generic to the causation of various California fires caused and/or allegedly  
15          caused by errors and omissions by the utility known as PG & E, including but not limited  
16          to the so-called San Bruno Fire, the criminal case, plea, and conditions of probation  
17          imposed by Hon. William Alsup arising therefrom, the rulings concerning violation of  
18          conditions of probation in that case, the so-called Butte Fire of 2015, and the findings of  
19          Cal Fire with respect to the causation thereof, the so-called Camp Fire of 2018, the  
20          finding of Cal Fire with respect to the causation thereof, and most recently, the Transcript  
21          of the Grand Jury of the County of Butte, California, finding criminal liability in PG and  
22          E for causing multiple deaths as a result of the Camp fire, specifically:  
23  
24  
25

26               [https://interactive.abc10.com/pdfs/KXTV\\_PGE\\_Grand\\_Jury\\_Binder.pdf](https://interactive.abc10.com/pdfs/KXTV_PGE_Grand_Jury_Binder.pdf)  
27  
28

1 4. Among the duties owed my clients and owed the tribunals before which I appear on their  
2 behalf is the determination of the nature and type of damages to which my clients might  
3 be entitled. My review of the fact patterns generic to the causation of the Camp Fire  
4 reveals the inescapable conclusion that PG and E engaged in “willful blindness” as to the  
5 dangers to human life presented by its failure to maintain the equipment through which it  
6 delivers energy, and in the case of the Camp Fire, failure to control flammable vegetation  
7 within the proximity of its equipment. This “willful blindness” was embodied in  
8 intentional corporate decisions at board of directors’ level to place profits before safety,  
9 which decisions consistently occurred during, at least, two decades prior to the date of the  
10 Camp Fire.  
11

12  
13 5. Thus, it is my duty to seek an award of damages by way of punishment and example  
14 against this entity, which engaged in conduct beyond “recklessness” and/or “gross  
15 negligence” which proximately resulted in damage to my clients. This duty is pursued in  
16 good faith.  
17

18 I declare under penalty of perjury pursuant to the laws of the State of California the  
19 foregoing to be true and correct.  
20

21 May 10, 2023

22 /s/William D. McCann/s/  
23 William D. McCann  
24 Declarant  
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